

Gordon Kit

T 202-663-7945 gkit@sughrue.com

January 29, 2003

BOX CPA

Commissioner for Patents Washington, D.C. 20231

> Application of Shigeto UCHIYAMA, Re:

> > Tomomi UENO, Megumi KUMEMURA, Kiyoko IMAIZUMI, Kyosuke MASAKI, and Seiichi SHIMIZU entitled

"ISOFLAVONE-CONTAINING COMPOSITION"

Assignee: OTSUKA PHARMACEUTICAL CO., LTD EUN VENT

Our Ref: **Q-57711** 

TECH CENTER SPECIAL VELL TO 17003

2100 Pennsylvania Avenue, I Washington, DC 20037-321

> T 202.293.706 F 202.293.786 www.sughrue.com

FEB n 6 7003

Dear Sir:

This is a request for filing a Continuation Application under 37 C.F.R. § 1.53(d) (Continued Prosecution Application (CPA)) of pending prior Application No. 09/485,320, filed on 8, 2000, of Shigeto UCHIYAMA, Tomomi UENO, February MASAKI Megumi KUMEMURA, Kiyoko IMAIZUMI, Kyosuke and Seiichi SHIMIZU entitled "ISOFLAVONE-CONTAINING COMPOSITION"; which is a 371 of PCT/JP98/03460 filed August 4, 1998.

This application is being filed under 37 C.F.R. § 1.53(d). The prior application, in which no payment of the issue fee, abandonment, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new It is understood that secrecy under 35 U.S.C. application. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file jacket, be it either this application or a prior application in the same file jacket, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file jacket.

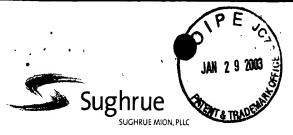
The prior application is assigned to Group Art Unit 1651.

The Examiner is respectfully requested to enter C.F.R. § 1.116 previously under 37 filed Amendment October 29, 2002, but unentered, in the prior application.

01/30/2003 EAREGAY1 00000024 09485320

01 FC:1006

750,00 OP



Commissioner for Patents

January 29, 2003 Page 2

A Petition for One-month Extension of Time (and payment therefor) is being filed concurrently herewith in Parent Application No. 09/485,320.

The executed Declaration and Power of Attorney appears in the original papers of the prior application.

Priority is claimed from:

Country

Application No

Filing Date

JAPAN

214604/1997

August 8, 1997

The priority document was submitted in Parent Application 105,320 during energy of nacional Scage.

The Government filing fee is calculated as follows:

Total claims

Independent

claims

2 - 3 RECEIVED \$84.00 = \$.00 \$750.00

Base Fee JAN 3 1 2003

\$750.00

TOTAL FILING FEE

A check for the statutory of \$750.00, is submitted herewith.

The U.S. Patent and Trademark Office is hereby directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. duplicate copy of this transmittal letter is attached.

The application is timely filed.

Respectfully submitted,

SUGHRUE MION, PLLC

Registration No. 30,764

WASHINGTON OFFICE

PATENT TRADEMARK OFFICE

RECEIVED FFB 0 6 2003

TECH CENTER 1600/2900